

*Bruce T. Beesley*

Honorable Bruce T. Beesley  
United States Bankruptcy Judge



Entered on Docket  
September 21, 2017

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Attorney for Jeri Coppa-Knudson, Trustee

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

IN RE: CASE NO. BK-N-17-50643-btb  
CHAPTER 7

PACIFIC COAST FLANGE, INC.,  
Debtor.

**ORDER AUTHORIZING  
ABANDONMENT OF EQUIPMENT**

**Orig. Hearing Date: September 5, 2017**  
**Orig. Hearing Time: 2:00 p.m.**

**Cont. Hearing Date: September 13, 2017**  
**Cont. Hearing Time: 2:00 p.m.**

The matter came before the Court on the Motion by Jeri Coppa-Knudson, chapter 7 trustee ("Trustee"), for an order authorizing the sale of personal property, i.e., equipment and inventory ("Sale Motion"). **DE 33.** The Sale Motion also included a Notice of Intent To Abandon the equipment in the event it was not sold. The Trustee was present at the hearing and was represented by Jeffrey Hartman. Daniel Egan and Ted Chrissinger appeared on behalf of secured creditor First Northern Bank of Dixon ("First Northern"). Valerie Bantner Peo appeared by telephone on behalf of secured creditor Crossroads Financial ("Crossroads"). Other appearances, if any were noted on the record. The Court considered the Sale Motion, together with the Trustee's Declaration in support. **DE 35.** The Court also

1 considered the Conditional Opposition filed by First Northern, **DE 43**, and its supporting  
2 Declaration, **DE 44**, as well as the Conditional Objection filed by U S Bank. **DE 47**. No  
3 objections to the Trustee's Notice of Intent To Abandon were filed with the Court.

4 The Sale Motion contemplated three possible outcomes: a sale of specified  
5 equipment and inventory for \$1,500,000; a sale of inventory only for \$400,000, and  
6 abandonment of the equipment, effective as of the date of the hearing, if a sale of the  
7 equipment did not occur. Sale of the equipment was subject to the proposed purchaser's  
8 successful acquisition of the real property located at 45 Stokes Drive in Mound House,  
9 Nevada. At the originally scheduled hearing on September 5, 2017, the proposed purchaser,  
10 API, International ("API"), informed the Trustee and the Court that, in order to complete the  
11 purchase of the inventory, it would also need to acquire two forklifts and certain pallet  
12 racking equipment, items of equipment subject to a security interest in favor of First  
13 Northern. API had not been able to negotiate a purchase of the real property located at 45  
14 Stokes Drive in Mound House, Nevada. Hearing on the Sale Motion was continued until  
15 September 13, 2017 to give the parties time to negotiate for API's purchase of the forklifts  
16 and pallet racking system and a corresponding release of First Northern's security interest in  
17 those items.

18 At the continued hearing, Trustee's counsel informed the Court that API had  
19 withdrawn its offer to purchase the inventory. As a result, the portion of the Sale Motion  
20 related to the sale of personal property is deemed withdrawn. Based upon the record the  
21 Court finds and concludes that notice was proper for both the sale portion of the motion and  
22 the notice of intent to abandon. Accordingly, and based upon the record,

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1           **IT IS ORDERED** that the Equipment, as defined in the Sale Motion, is abandoned  
2 by the estate, effective as of September 13, 2017. To avoid any uncertainty, once this Order  
3 is entered on the docket, by application of § 362(c)(1) the Equipment is no longer property of  
4 the estate and no longer subject to the automatic stay.

5 Submitted by:

6 **HARTMAN & HARTMAN**

7 /S/ Jeffrey L. Hartman  
8 Jeffrey L. Hartman, Esq.  
9 for Jeri Coppa-Knudson,  
Trustee

10 **APPROVED / DISAPPROVED**

11 **WILKE, FLEURY, HOFFELT, GOULD**  
12 **& BIRNEY, LLP**

13 /S/ Daniel Egan  
14 Daniel L. Egan, Esq. for First  
Northern Bank of Dixon

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**ALTERNATIVE METHOD Re: RULE 9021**

In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☐ The court has waived the requirement set forth in LR 9021(b)(1).

☐ No party appeared at the hearing or filed an objection to the paper.

☒ I have delivered a copy of the proposed order to all counsel who appeared at the hearing, any trustee appointed in this case and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond as indicated below.

**Debtor's Counsel:**

☐ Prepared / Approved the form of this order

☐ Waived the right to review the order and/or

☐ Appeared at the hearing, waived the right to review the order

☒ Matter unopposed, did not appear at the hearing, waived the right to review the order

☐ Disapproved the form of this order

☐ Did not respond to the paper

**Trustee:**

☒ Approved the form of this order

☐ Disapproved the form of this order

☐ Waived the right to review the order and/or

☐ Did not respond to the paper

☐ Did not appear at the hearing or object to the paper

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

I declare under penalty of perjury that the foregoing is true and correct.

Submitted by:

**HARTMAN & HARTMAN**

/S/ Jeffrey L. Hartman

Jeffrey L. Hartman